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Attorneys for the UNITED STATES BOARD  
OF WATER COMMISSIONERS and  
CHIEF DEPUTY WATER COMMISSIONER/  
WATER MASTER

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**STIPULATION TO RESOLVE THE UNITED STATES BOARD OF WATER  
COMMISSIONERS' AND WATER MASTER'S  
REQUEST FOR SPECIAL ASSESSMENT AND WALKER BASIN CONSERVANCY'S  
OBJECTION TO SPECIAL ASSESSMENT AND ORDER**

The UNITED STATES BOARD OF WATER COMMISSIONERS and CHIEF DEPUTY WATER COMMISSIONER/WATER MASTER (“Water Master” and collectively the “Board”), by and through their attorneys, ALLISON MacKENZIE, LTD. and the WALKER BASIN CONSERVANCY (the “Conservancy”) by and through its attorneys, WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP, stipulate to resolve the Board’s request to levy a special assessment

for the 2019–2020 fiscal period for the administration of Program Water as contained in the Board’s Report and Petition for Approval of Budget and Approval of Rate of Assessment and Special Assessment for the Year July 1, 2019 Through June 30, 2020, and for Approval of the Audit Report for the Year Ended June 30, 2018 (“Petition”) (Doc. 1551) and the Objection of Walker Basin Conservancy to Petition for Approval of Special Assessment (Doc. 1575) as follows:

1. In consideration of the above-referenced parties entering into this Stipulation, the Board has withdrawn its request for a special assessment for the administration of Program Water as contained in the Board’s Petition (Doc. 1551).
2. The Conservancy agrees to order its instream flow water rights for Permit 80700 (“Program Water”) on a daily basis when in priority in accordance with the Board’s Plan of Distribution, namely by placing daily orders for the permitted Program Water in priority with the Walker River Irrigation District, which will relay orders for Program Water to the Water Master along with daily orders for irrigation water.
3. The Water Master shall keep track of her time to administer the Conservancy’s Program Water from the Yerington Weir to the Wabuska Gage for the 2019 irrigation season. The Board and the Conservancy reserve their respective rights and positions regarding any future request by the Board for a special assessment or reimbursement based upon special and additional administration, if any, of Program Water from the Yerington Weir to the Wabuska Gage.
4. The Conservancy agrees to reimburse the Board for its reasonable legal and engineering costs incurred to review one or more proposed Orders modifying the Walker River Decree to be submitted to the District Court after any final order of the District Court granting a petition to approve Nevada State Engineer decisions or orders approving the Conservancy’s pending instream flow water rights change application numbers 88160, 88161 and 88162.
5. The Board shall periodically provide the Conservancy with an invoice of the legal and engineering costs incurred pursuant to paragraph 4, above, which invoice shall be due and payable within 30 days of receipt of the invoice.

1           6. The Conservancy shall provide the Board with any dispute regarding an invoice  
2           within 15 days of receipt of the invoice. If the invoice dispute cannot be resolved,  
3           either party hereto may seek relief of the Court to resolve the dispute.  
4           7. The terms of the stipulation shall not be binding on any other parties to the Walker  
5           River Decree or to any other users of water subject to the Walker River Decree. The  
6           terms of this stipulation only apply to the Board's request to levy a special assessment  
7           for the 2019-2020 fiscal period for the administration of Program Water, and the  
8           terms of this stipulation shall not be construed as setting a precedent for the matters  
9           agreed to herein by the parties to the stipulation for any future change applications by  
10          any water user.

11          The undersigned counsel hereby certify in accordance with Local Rule 7-2(f), the foregoing  
12          Stipulation and [Proposed] Order was served on the principal parties participating at the June 3, 2019  
13          hearing and further certify said principal parties approved the proposed Stipulation and [Proposed]  
14          Order.

15          Dated: June 24, 2019

16          By: /s/ Karen A. Peterson  
17          Karen A. Peterson, Esq.  
18          Nevada State Bar No. 366  
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25          *Attorney for United States Board of Water  
26          Commissioners and Chief Deputy Water  
27          Commissioner/Water Master*

28          Dated: June 24, 2019

29          By: /s/ Christopher w. Mixson  
30          Christopher W. Mixson, Esq.  
31          Nevada State Bar No. 10685  
32          WOLF, RIFKIN, SHAPIRO,  
33          SCHULMAN & RABKIN, LLP  
34          5594-B Longley Lane  
35          Reno, Nevada 89511  
36          Phone: (775) 853-6787  
37          Fax: (775) 853-6774  
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39          *Attorneys for Walker Basin Conservancy*

1  
**ORDER**

2 THE STIPULATION TO RESOLVE THE UNITED STATES BOARD OF WATER  
3 COMMISSIONERS' AND WATER MASTER'S REQUEST FOR SPECIAL ASSESSMENT  
4 AND WALKER BASIN CONSERVANCY'S OBJECTION TO SPECIAL ASSESSMENT IS  
5 APPROVED AND IT IS SO ORDERED.

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7 Dated: June 25, 2019.  
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9 UNITED STATES DISTRICT JUDGE  
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## CERTIFICATE OF SERVICE

I hereby certify that I am an employee of **ALLISON MacKENZIE, LTD.**, and that I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, and that service will be accomplished on all counsel and persons requesting notice by the Court CM/ECF system, which will send notification of such filing to their email addresses.

And further I certify that I also served a copy of the foregoing document on the following non-CM/ECF participants by U.S. Mail, postage prepaid:

6 Bryan Bowker  
U.S. Department of the Interior  
7 Bureau of Indian Affairs – Western Region  
Division of Natural Resources, MS-460  
8 2600 North Central Avenue, 4<sup>th</sup> Floor  
Phoenix, AZ 85004  
9 Walker River Irrigation District  
P.O. Box 820  
10 Yerington, NV 89447

Tim Wilson, P.E.  
Dept. of Conservation & Natural Resources  
Division of Water Resources  
901 South Stewart Street #2002  
Carson City, NV 89701

California Water Resources Department  
1416 Ninth Street  
Sacramento, CA 95814

Bradley Crowell, Director  
Dept. of Conservation & Natural Resources  
State of Nevada  
901 South Stewart Street #1003  
Carson City, NV 89701

DATED this 24<sup>th</sup> day of June, 2019.

/s/ Nancy Fontenot  
NANCY FONTENOT

4848-8951-2344, v. 1